



SO ORDERED.

SIGNED this 6 day of December, 2021.

A handwritten signature in blue ink that reads "David M. Warren".

David M. Warren
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:

**KATHERINE E CLEMENT,

DEBTOR**

**CASE NO. 21-02109-5-DMW
CHAPTER 13**

**ORDER OVERRULING CHAPTER 13 TRUSTEE'S OBJECTION TO CLAIM AND
GRANTING DEBTOR'S REQUEST FOR ATTORNEY'S FEES**

This matter comes before the Court upon the Objection to Claim filed by the Chapter 13 Trustee (Doc 11) and the Debtor's Response (Doc 12). The Court held a hearing on the matter on November 30, 2021, at which the counsel for the Trustee and for the Debtor appeared. Based on the pleadings, the record, and the statements of the parties, the Court finds and concludes as follows:

1. The Chapter 13 Trustee filed an Objection to Court Claim 3 of Ford Motor Credit Company, LLC, asserting that the creditor had not attached sufficient documentation to establish its properly perfected security interest in the Debtor's property and that the claim should be disallowed as a secured claim.
2. The Debtor filed a Response to the Objection and provided Lien Detail documentation from the North Carolina Division of Motor Vehicles verifying the creditor's perfected security interest and requesting reasonable attorney fees to be taxed against the creditor.
3. At the hearing counsel for the Trustee indicated that the Debtor's Response resolved the Objection and that the claim was entitled to its secured classification.
4. There is good cause to award the Debtor's counsel a reasonable fee to be taxed against the creditor for performing the necessary work to resolve the Objection.

ACCORDINGLY, IT IS HEREBY ORDERED as follows:

A. The Chapter 13 Trustee's Objection to Claim No. 3 of Ford Motor Credit Company, LLC (Doc 11) is overruled;

B. The Debtor's counsel is awarded a non-base fee of \$500.00 for having to provide proof of the creditor's properly perfected lien and for attending the hearing on the Trustee's objection. The fee is to be paid directly by Ford Motor Credit Company, LLC to the Debtor's counsel made payable to "Sasser Law Firm," 2000 Regency Parkway, Suite 230, Cary, NC 27518; and

C. Ford Motor Credit Company, LLC, shall pay the \$500.00 fee referenced above within 15 days of the entry of this Order or the Court will consider awarding additional civil sanctions.

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